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Paper # 11

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MAR 13 2006

OFFICE OF PETITIONS

In re Application of
Peshkin et al.
Application No. 09/483,107
Patent: 6,198,794
Filed: January 14, 2000
Issued: March 6, 2001
Attorney Docket Number: 4204.2C3

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This is a notice regarding your request filed on February 6, 2006, for acceptance of a fee deficiency submission under 37 CFR 1.28 (c). Petitioner has also submitted a petition under 37 CFR 1.378(c).

The petition under 37 CFR 1.28 is **granted**.
The petition under 37 CFR 1.378(c) is **dismissed** as inappropriate.¹

37 CFR 1.28 (c) states: "The deficiency is based on the amount of the fee, for other than a small entity, in effect at the time the deficiency is paid in full." Accordingly, the fee deficiency submission under 37 CFR 1.28 is hereby accepted.

The change in status to a large entity has been entered and made of record.

There is no indication that the person signing the instant petition was ever given a power of attorney or authorization of agent to prosecute the above-identified application. If the person signing the instant petition desires to receive future correspondence regarding this application, the appropriate power of attorney or

¹It is noted the 3.5 year maintenance fee was timely submitted on March 7, 2005. A petition under 37 CFR 1.378(c) and surcharge are not required to accept the deficiency and change in status pursuant to 37 CFR 1.28.

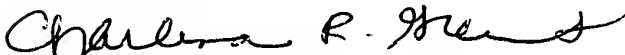
authorization of agent must be submitted.

The address given on the petition differs from the address of record. If appropriate, a change of address should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition. However, the Office will mail all future correspondence solely to the address of record.

The \$1640 surcharge will be refunded via treasury check.

This file is being forwarded to the Files Repository.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.



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